10/561448 IAP12 Rec'd PCT/PTO 20 DEC 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Shimon WEISS International Application No.:

PCT/US2004/019709

International Filing Date: June 17, 2004

Art Unit: Not Yet Assigned

Appl. No: Not Yet Assigned

Examiner: Not Yet Assigned

Confirmation No: Not Yet Assigned

Filed: Concurrently Herewith

Atty. Docket No: 58086-226455

For: MODULATED EXCITATION FLUORESCENCE ANALYSIS

Customer No:

26694
PATENT TRADEMARK OFFICE

<u>Information Disclosure Statement</u> (Under 37 C.F.R. § 1.97)

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is an Information Disclosure Statement submitted within the time limit specified under 37 C.F.R. § 1.97(b).

In order to comply with applicant's duty of disclosure under 37 C.F.R. § 1.56, the U.S. Patent and Trademark Office is notified of the document which is listed on the attached Form PTO/SB/08A. The Examiner may deem this document relevant to the patentability of the claims of the above-identified application.

Document AA is a U.S. Patent. Therefore, neither a separate statement of relevance, nor a copy of this document need to be submitted according to U.S. PTO disclosure requirements.

10/561448 IAP12 Rec'd PCT/PTO 20 DEC 2005

Application No.: Not Yet Assigned

Atty. Docket No.: 58086-226455

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore no Statement Under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In view of the above, no further translation or statement of relevance is required. Additionally, since all requirements of 37 C.F.R. § 1.97 and all official guidelines pertaining to Information Disclosure Statements have been met, it is respectfully requested that the documents be considered by the Examiner and made of record.

Please charge any necessary fee, or credit any overpayment in connection with this Information Disclosure Statement to Deposit Account No. 22-0261.

Date

Respectfully submitted

Henry J. Daley

Registration No. 42,459

VENABLE LLP P.O. Box 34385

Washington, D.C. 20043-9998

Telephone: (202) 344-4000 Telefax: (202) 344-8300

HJD/cdw-708339

Please type a plus sign (+) inside this box

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for form 1449A/PTO | | | | Complete if Known | | |
|-------------------------------|------------------|--------|------------|------------------------|-----------------------|--|
| | | | | Application Number | Not Yet Assigned | |
| INFC | PRMATION | DIS | CLOSURE | Filing Date | Concurrently Herewith | |
| STA | TEMENT BY | YA | PPLICANT | First Named Inventor | Shimon WEISS | |
| | | | | Group Art Unit | Not Yet Assigned | |
| | (use as many she | ets as | necessary) | Examiner Name | Not Yet Assigned | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 58086-226455 | |

| U.S. PATENT DOCUMENTS | | | | | | | |
|------------------------|--------------|----------------------|--|---|------------------------------|--|--|
| Examiner Initials * | Cite No.1 | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of | Pages Columns Lines Where Relevan | |
| | | | | | Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevar Passages or Relevant Figures Appear | |
| | Al | | | Vera GORFINKEL et al. | 07-21-1998 | | |
| | | | | | | | |
| | <u> </u> | | | | | | |
| | - | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | ļ | | | | | | |
| | - | | | | | | |
| | - | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | ļ | | | | | |
| | | * | | | | | |
| | - | | | | | | |
| | 1 | | | | ·· ·· | | |
| | | | | | | | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | |
|-----------------------|--------------------------|--|---------------------|--------------------------------------|-----------------------------------|------------------------------|--|----------------|
| Examiner Initials* | Cite No.1 | Foreign Patent Document | | | Name of Patentee | Date of Publication of | Pages, Columns, Lines, | |
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | or Applicant of Cited Document | Cited Document MM-DD-YYYY | Where Relevant Passages or Relevant Figures Appear | Т _б |
| | | <u> </u> | | | | | | |
| | - | - | _ | | | | | |
| | <u> </u> | | | | | | | |
| | | | <u> </u> | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | 1 | | | | |

| Examiner Signature | Date Considered | |
|-----------------------|--------------------|--|

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.